

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES BUCK,

Plaintiff,

v.

**GEICO ADVANTAGE INSURANCE
COMPANY,**

Defendant.

CIVIL ACTION

NO. 18-5148

ORDER

AND NOW, this 23rd day of January, 2018, upon consideration of Motion of Defendant, GEICO Advantage Insurance Company, To Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Document No. 2, filed November 30, 2018), Response of Plaintiff to Defendant GEICO's Motion To Dismiss (Document No. 4, filed December 10, 2018), and Sur Reply [sic] of Defendant, GEICO Advantage Company, To Plaintiff's Brief in Opposition to GEICO's Motion To Dismiss (Document No. 7, filed December 17, 2018), for the reasons set forth in the attached Memorandum dated January 23, 2018, **IT IS ORDERED** that Motion of Defendant, GEICO Advantage Insurance Company, To Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) is **GRANTED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that plaintiff is granted leave to file an amended complaint within twenty (20) days of the date of this Order if warranted by the facts and applicable law as set forth in the attached Memorandum.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.